

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Thomas RAUSCH

Serial No.: 10/785,367

Filed: February 23, 2008

For: TRANSGENIC PLANTS AND PLANT CELLS WITH REDUCED EXPRESSION OF
INVERTASE INHIBITOR

Confirmation No.: 8977

Date: August 3, 2009

Group Art Unit: 1638

Examiner: Russell Kallis

VIA EFS WEB

Mail Stop 16

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Attention: Refund Section - Accounting Division - Office of Finance

**REQUEST FOR REFUND OF FEE PAID FOR
REQUEST FOR CONTINUED EXAMINATION**

Sir:

This is a request for a refund, with respect to the charge to Deposit Account No. 15-0700, shown on the statement dated February 19, 2009, for the above-identified application. A copy of the statement in which the error referred to occurs accompanies this request.

The statement indicates the February 19, 2009 charges for Utility Issue Fee, Publication fee and Printed Copy of Patent w/o color regular service (Fee codes 1501, 1504 & 8001) totaling \$1,813.00. Applicants do not believe this fee to be warranted and respectfully request a refund of \$1813.00 by crediting Deposit Account No. 15-0700.

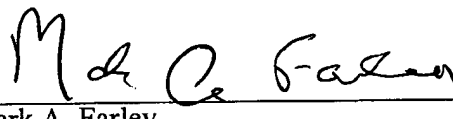
On January 22, 2009 Applicants filed and paid the Issue Fee, Publication Fee, Patent copies/advance order (4) and deficiency of fees for Large Entity status by submitting Check #28803 in the amount of \$3,652.00. Check #28803 was cashed on February 4, 2009 by the Patent and Trademark Office. The Patent Office has erroneously overcharged our deposit account in the amount of \$1,813.00 for payment of the above Issue fees that were already paid by check #28803 on January 22, 2009.

It is respectfully requested that the Patent and Trademark Office issue a credit to our Deposit Account No. 15-0700 in the amount of \$1813.00 for the overcharge.

If the Patent Office finds the fee is valid, please provide evidence and explanation for the charge.

THIS CORRESPONDENCE IS BEING
SUBMITTED ELECTRONICALLY
THROUGH THE UNITED STATES
PATENT AND TRADEMARK OFFICE
EFS FILING SYSTEM
ON AUGUST 3, 2009

Respectfully submitted,



Mark A. Farley
Registration No.: 33,170
OSTROLENK, FABER, GERB & SOFFEN, LLP
1180 Avenue of the Americas
New York, New York 10036-8403
Telephone: (212) 382-0700

Transaction Details

Type: Sale
Status: Active
Accounting Date: 02/19/2009

Name/Number: 10785367
Attorney Docket Number: P/2107-248

Sale Items

10785367	P/2107-248	Active	1	\$1,510.00	\$1,510.00	1501	UTILITY ISSUE FEE
10785367	P/2107-248	Active	1	\$300.00	\$300.00	1504	PUBLICATION FEE FOR EARLY, VOLUNTARY OR NORMAL PUBLICATION
10785367	P/2107-248	Active	1	\$3.00	\$3.00	8001	PRINTED COPY OF PATENT W/O COLOR, REGULAR SERVICE

Payment Details

Deposit Account	\$1,813.00	02/19/2009	\$1,813.00

Ostrolenk, Faber, Gerb & Soffen, LLP 1180 Avenue of the Americas New York, N.Y. 10036		28803
		1-2-210
PAY TO THE ORDER OF COMMISSIONER OF PATENTS AND TRADEMARKS		\$ <u>3652.00</u>
3652 00		DOLLARS
THE CHASE MANHATTAN BANK 401 MADISON AVENUE NEW YORK, NY 10017		OSTROLENK, FABER, GERB & SOFFEN, LLP NOT VALID OVER \$5,000.00
CHARGE ANY ADD'L FEES TO DEPOSIT ACCT. #15-0700		<i>Kenneth S. Soffen</i>
APPLICATION SN CLIENT NO. [REDACTED]		

FEDERAL RESERVE BOARD OF GOVERNORS REG. NO. 00			ENDORSE HERE
			PATENT AND TRADEMARK OFFICE
			12-10-0091
			FOR CREDIT TO THE U.S. TREASURY
DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE RESERVED FOR FINANCIAL INSTITUTION USE *			

[Account # :134726650 Posting Date :2009-02-04 Check Number :000000028803]